

**REMARKS**

Claims 1-13, 15-18, 20-30, 34, 37-42, 44, 45 and 48-60 are pending, and have been allowed as indicated in the Notice of Allowance mailed on January 3, 2011.

I. **Specification Amendment**

By the present Amendment, the Specification is amended. In the present application, Applicants' priority claim to International Patent Application No. PCT/DK2005/000137, Denmark Patent Application No. PA 2004 00348 and U.S. Provisional Application No. 60/549,158 was included in the Declaration filed on August 31, 2006, which was filed within the time period set forth in 37 C.F.R. § 1.78(a). Further, the information concerning the priority claim was recognized by the USPTO as shown by its inclusion in the Official Filing Receipt mailed November 20, 2007 (copy enclosed). Applicants now submit the present Amendment to amend the specification to include specific reference to these priority claims.

MPEP § 201.11.III.D states (emphasis added):

If an applicant includes a benefit claim in the application but not in the manner specified by 37 C.F.R. § 1.78(a) (e.g., if the claim is included in an oath or declaration or the application transmittal letter) within the time period set forth in 37 C.F.R. § 1.78(a), the Office will not require a petition under 37 C.F.R. § 1.78(a) and the surcharge under 37 C.F.R. § 1.17(t) to correct the claim if the information concerning the claim was recognized by the Office as shown by its inclusion on the filing receipt.

Therefore, according to MPEP § 201.11.III.D (recited above), a petition under 37 C.F.R. § 1.78(a) and surcharge under 37 C.F.R. § 1.17(t) are not required.

Applicants request entry of this amendment to the specification and request proper recognition of this priority claim to PCT/DK2005/000137, Denmark Patent Application No. PA 2004 00348 and U.S. Provisional Application No. 60/549,158.

II. Acknowledgement of PTO-1449 Form

Applicants note that the Examiner has not considered the PTO-1449 Form submitted with the Supplemental Information Disclosure Statement filed on December 5, 2006. Thus, Applicants respectfully request that the Examiner acknowledge the PTO-1449 Form. A copy of the Form PTO-1449 is attached.

CONCLUSION

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNES, DICKEY, & PIERCE, P.L.C.

By

John A. Castellano, Reg. No. 35,094

P.O. Box 8910  
Reston, Virginia 20195  
(703) 668-8000

  
JAC/CDW:ljs

Attachments: Official Filing Receipt  
Form PTO-1449

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